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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,087	02/02/2004	Kenneth P. Hinckley	003797.00821	6556

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BOSTON, MA 02109

EXAMINER

LAO, LUN YI

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/768,087

Applicant(s)

HINCKLEY ET AL.

Examiner

Lao Y Lun

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) 1,2 and 5-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 3,4 and 25-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/2/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 3-4, 26, 27, 31 and 33-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Holehan(6,043,809).

As to claims 3-4, 26-27, 31 and 33-34, Holehan teaches a method for providing absolute scrolling of a document comprising the steps of : sensing a pointer(e.g finger) sliding along a touch-sensitive surface(122-124, 214 or 216); determining a location of the pointer(e.g. finger) is sliding and scrolling the document to a location in the document that corresponds to the location of the pointer(finger) relative to the touch sensitive surface(122-124, 214 or 216)(see figure 2; column 4, lines 20-52 and column 5, lines 12-16).

As to claims 4 and 27, Holehan teaches the location in the document compared a beginning point and end point of the document is proportional to the location of the pointer compared to a first end and a second end of the touch-sensitive surface(see figure 2 and column 4, lines 20-52).

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As to claim 32, Holehan teaches a touch sensitive surface(122-124) is a proximity-sensitive surface(see figures 1-5; abstract and column 2, lines 35-39).

Claim Rejections - 35 USC 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 25, 32 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holehan in view of Bates(5,371,846).

Holehan fails to point out control instruction for performing scrolling operation stored in a computer.

Bates teaches a method for providing absolute scrolling of a document (see column1, lines 36-59) comprising a control instruction(see figures 5a-6b) for performing scrolling operation(see figures 1, 5a-6b; column 3, lines 60-61 and column 4, lines 3-10). It would have been obvious to have modified Holehan with the teaching of Bates, since Holehan's computer system needs instructions to operate.

Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holehan in view of Anderson et al(5,418,549).

Holehan as modified fail to round the scroll amount.

Anderson et al teach a method for rounding the scrolling amount(see figure 2; column 5, lines 67-68 and column 6, lines 1-6). It would have been obvious to have modified Holehan with the teaching of Anderson et al, so the whole page or whole line would be displayed on a screen when the document was scrolling.

5. Claims 30 and 35 rejected under 35 U.S.C. 103(a) as being unpatentable over Holehan in view of Martinelli et al(5,943,044).

Holehan fails to disclose a touch-sensitive surface is a single continuous touch-sensitive surface.

Martinelli et al teach a touch-sensitive surface(12) is a single continuous touch-sensitive surface(see figures 1-2; column 7, lines 54-68 and column 8, lines 6-56). It would have been obvious to have modified Holehan with the teaching of Martinelli et al, so as to reduce the size of a computer system by using a touch panel display as input device instead of a keyboard input device.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wirth et al(6,476,831) teach the middle of document will be presented on a display when a user move the pointer to the middle portion of a scroll bar(30H or 30V)(see figures 3-5).

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi, Lao whose telephone number is (703) 305-4873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached at (703) 305-4938.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

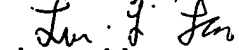
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

February 3, 2005



Lun-yi Lao
Primary Examiner